

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HILDA SOLIS, SECRETARY OF	:	CIVIL ACTION
LABOR, UNITED STATES	:	
DEPARTMENT OF LABOR	:	
	:	
v.	:	
	:	
JOHN J. KORESKO, V, et al.	:	No. 09-988

ORDER

AND NOW, this 11th day of September, 2013, upon consideration of the Plaintiff's Motion for Clarification of Order and Supplemental Order (Docket No. 472), and the response thereto, IT IS HEREBY ORDERED that the motion is GRANTED IN PART.

IT IS FURTHER ORDERED that Defendants John J. Koresko, V, PennMont Benefit Services, Inc., Penn Public Trust, Koresko and Associates, P.C. and Koresko Law Firm, P.C., their officers, directors, fiduciaries, agents, employees, service providers, depositories, banks, accountants, attorneys, and any other party acting in concert with or at the direction of any Defendant are enjoined from withholding benefits from or in any other way denying services to any employer, Plan sponsor, participant, or beneficiary, or any other person associated with REAL VEBA or Single Employer Welfare Plan Trust based on that person's response or failure to forward money in response to any reorganization assessment and general administrative fee assessment.

IS FURTHER ORDERED that this Order does not change the provisions of the Court's previous Orders of July 9, 2013, and July 23, 2013.

The Court has already scheduled for Monday, September 16, 2013, a hearing on the following pending motions: Motion for Clarification of Order and Supplemental Order, and Motion to Modify Freeze Orders and for Expedited Consideration.

Defendants sent letters, in late August 2013, to several "persons associated with REAL VEBA or Single Employer Welfare Plan Trust," employers participating in Plans with assets in REAL VEBA and/or SEWBPT, stating that plan participants were required to pay a reorganization fee assessment and general administrative fee assessment by September 13, 2013, at 5:00 pm. If the participants failed to pay the fees, participants' rights in the benefits plan at issue would be "irrevocably ended" at that time and "the right to claim benefits by all eligible participants shall cease forever." The employer would forfeit its right to participate in the Trust and their participants' beneficiaries would be rendered ineligible for death benefits. The Court is acting in anticipation of this deadline.

At the hearing on Monday, September 16, 2013, the Court will consider anew whether to continue this injunction or whether to vacate this Order.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.